

U.S. Application No.10/076,566

500.41209X00

**REMARKS**

The Applicants request reconsideration of the rejection.

Claims 1-12 remain pending.

Claims 3-4 and 6 were rejected under 35 USC §112, second paragraph, as being indefinite. Specifically, the Office Action states that the recitation of "predetermined format by user" is vague, and that by following this expression with "by checking", an automatic process is implied. In reply, the Applicants note that the claims have been amended to recite that the predetermined format is "specific to each user", meaning that each user may have his or her own format requirement reflected in the editing. In this regard, the Applicant notes that claim 3 (as amended) now more clearly recites that the retrieval device unit edits the retrieval results data by checking repetitions of the retrieval key requests issued by the respective users, and that the editing is performed so that the retrieval results data reflects the predetermined format which is specific to each user.

Claims 1 and 7 were rejected under 35 USC §102(e) as being anticipated by Premerlani, et al., US 5,555,367 (Premerlani). The Applicants traverse as follows.

At the outset, the Applicants note that the Office Action appears to address the form of the claims as they existed before the Preliminary Amendment of October 28, 2005. Therefore, upon entry and due consideration of the amendments contained in this paper, the Applicants submit that any subsequent action should not be a final rejection, inasmuch as a first action has not been fairly obtained on their claims since the RCE was filed.

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Turning to the now-amended claims, the invention has been clarified by emphasizing features of the invention that relate to the generation of a repetition-free retrieval key request that eliminates repetition of the same retrieval key request in accordance with pre-stored rules when the requests are made repetitively or in an overlapped manner by the various users. As a result of the invention, the number of retrieval key requests is advantageously reduced. In the language of claim 1, "a repetition eliminating unit eliminat[es] repetitions of said retrieval key requests requested in differing said retrieval key requests in accordance with pre-stored rules to generate a repetition-free retrieval key request to thereby reduce a number of retrieval key requests." The other independent claims have been amended similarly.

In contrast, Premerlani discloses a duplicate copying method used in so-called "visual programming" to automatically generate code from user-selected object classes and associations. Premerlani does not relate to the field of the claimed invention, and particularly does not disclose the claimed generation of a repetition-free retrieval key request by eliminating repetitions of retrieval key requests in accordance with pre-stored rules.

Claims 2-6 and 8-12 were rejected under 35 USC §103(a) as being unpatentable over Premerlani in view of Himmel, et al., US 6,237,035 (Himmel).

Himmel, however, does not suggest the generation of a repetition-free retrieval key request as claimed, and thus does not supply the teachings missing from Premerlani. Moreover, Himmel does not disclose the checking and elimination of repetitions in retrieval key requests both in the present and in the past as claimed

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in claim 2; the editing of retrieval results data according to a predetermined format that is specific to each user, or sending of the retrieval results data to the users on the basis of retrieval key requests desired by the users as claimed in claim 3; the elimination of repetitions in contents from the retrieval results before sending the results to each user as claimed in claim 4; the selection by a user of a retrieval result based on the freshness of the result as claimed in claim 5; or the copying of retrieval results and sending the same to the respective users as claimed in claim 6.

The patentability of independent claims 8-12 may be argued similarly to the above, particularly with respect to the creation of repetition-free retrieval key requests, and thus will not be separately argued at this time, for brevity.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Any shortage in fees due in connection with the filing of this paper, including extension of time fees, may be charged to Deposit Account No. 50-1417 (500.41209X00).

Respectfully submitted,

  
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